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PROMOTION AND PROTECTION OF HUMAN RIGHTS: STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS HUMAN RIGHTS DEFENDERS

Written statement*/ submitted by Human Rights Watch,
a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 January 2001]

*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

GE. *0010360*

ENG

China

In October 1997, China signed the International Covenant on Economic, Social and Cultural Rights (ICESCR); a year later it signed the International Covenant on Civil and Political Rights (ICCPR). Human Rights Watch welcomed these positive steps and urged prompt action to ratify and fully implement the treaties. However, in October 2000, members of the Standing Committee of the National People's Congress (NPC), postponed ratification of the ICESCR until "every article... is in harmony with China's real situation and relevant laws and regulations." The ICCPR has yet to be submitted to the NPC for consideration.

In the years since China signed the covenants, Human Rights Watch has documented serious violations of human rights, raising questions about the Chinese government's willingness to adhere to basic international standards. Throughout 2000, the Chinese government suppressed efforts to form independent trade unions or to strike for better working conditions. It also suppressed those trying to express their political opinions via the Internet and other media, to worship outside officially sanctioned religious congregations, to form an opposition political party, or to meet with others to meditate and exercise. Government officials continue to interfere in the judicial process. Thousands of Chinese citizens were arbitrarily held for as long as three years in reeducation through labor camps. Human Rights Watch continued to receive reports of torture and prison deaths in Tibet and Xinjiang and increasing numbers of executions in Xinjiang.

Freedom of expression via the Internet has been threatened by new regulations banning all information that promulgates heretical ideas, goes against the constitution, endangered state security or threatens national unity. Additional bans limited the use of news from other than official sources.

Freedom of religion remained restricted. In November and December 2000, hundreds of non-state-controlled religious sites in Zhejiang Province were destroyed or converted to secular uses. Worshipers in several provinces who refused to join official churches were in custody. New regulations tightened limits on proselytizing, and the official campaign, begun in July 1999, against the quasi-religious Falun Gong, continued and intensified last year. In Tibet, the government controlled selection of Buddhist religious leaders and closed monasteries and nunneries at will.

Human Rights Watch calls on China to invite the appropriate U.N. Special Rapporteurs and Working Groups to visit. In particular there is an urgent need for visits by the Special Rapporteur on Torture under conditions that apply to all member States, a return visit by the Special Rapporteur on Religious Intolerance, and visits by the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression and the independence of judges and lawyers.

In many countries of the Middle East and North Africa, human rights defenders find it difficult if not impossible to carry out their work. Among those states presently members of the Commission, Saudi Arabia, Syria, and Libya do not allow their citizens to monitor or report publicly on human rights conditions.

Elsewhere in the region, Tunisian human rights defenders have confronted a particularly grave situation. The government continues to refuse to register the National Council on Liberties in Tunisia (Conseil Nationale des Libertes Tunisienne, CNLT) as a legal organization. Dr. Moncef Marzouki, the CNLT spokesperson, was dismissed by the Ministry of Health from his post as professor of medicine at the University of Sousse in late July, in apparent retaliation for meetings with government officials and journalists in Europe and the United States. In early October, Dr. Marzouki attended a meeting in Rabat, Morocco, of the Arab Working Groups on Human Rights. He was later questioned by an investigating judge on charges that his remarks to the group violated laws against "spreading false information" and "defaming public order." On December 30, a Tunis court sentenced Dr. Marzouki to one year in prison on charges of maintaining an unauthorized organization--the CNLT--and spreading false news with the intent of disturbing public order.

Nejib Hosni, a prominent Tunisian human rights lawyer and member of the CNLT board of directors, has faced intense government harassment and persecution since July 25, when he issued a public statement criticizing the government's myriad restrictions on basic civil liberties. Hosni had earlier spent two-and-a-half years in prison on trumped up charges, and was released in late 1996. Since then the government has arbitrarily cut his office and home telephone and fax, and his passport has been confiscated. He has been prevented from resuming his legal practice despite the fact that the Tunisian Bar Association, the sole competent institution in this matter, has insisted that he never should have been suspended. On that basis--that he had not been suspended by the competent authority--he joined other lawyers in entering a plea before a court on November 24 in the case of several political detainees on a hunger strike. On December 18 the District court of Kef sentenced him to fifteen days in prison for "noncompliance with a judicial order" by asserting his right to practice his profession. On December 21, Hosni was arrested at his home and beaten by the arresting officers.

The government's campaign of harassment and intimidation extended to the Tunisian Human Rights League (Ligue Tunisienne des droits de l'homme, LTDH), the oldest nonpartisan and independent human rights organization in the Arab world. After years of keeping a low profile as a result of government pressure, the League held a congress in late October at which it elected a new 25-member board made up of respected rights defenders. Subsequently, four members close to the authorities filed a complaint charging election irregularities. Following a smear campaign against the new leadership in the government-controlled media, a judge issued an interim order freezing all League activities, which led to a police closure of the League's headquarters. The

closure remains in effect as of this writing, while court hearings on the election complaint are scheduled for January 9 and 15.

In Egypt the government was aggressive in its efforts to control and discredit organizations dedicated to monitoring and defending human rights. Activists preparing to monitor elections to the People's Assembly came under especially sharp attack. On the night of June 30, State Security Intelligence (SSI) officials arrested Sa'adeddin Ibrahim, director of the Ibn Khaldun Center for Development Studies. The SSI raided his home and the Ibn Khaldun Center and confiscated documents, computers and other belongings. The authorities also arrested the l Center's chief accountant, Nadia 'Abd al-Nur, and her assistant. Ibrahim and 'Abd al-Nur were held in preventive detention until August 10. The prosecution accused Ibrahim of receiving foreign funding without permission, forgery of election documents, fraud, and dissemination of false information damaging to Egypt's interests. At least fourteen others were also interrogated in connection with the case, several of whom were detained for weeks. In early July authorities detained and interrogated staff of the Women Voters' Support Center, an NGO cooperating with the Ibn Khaldun Center on educational programs for voters, and Warda 'Ali Bahi and Magda al-Bey were held in preventive detention for six days and one month respectively. On September 24, in the wake of an announcement by Ibrahim that he intended to proceed with election monitoring, the prosecutor general formally referred the case to the Supreme State Security Court, naming twenty-eight defendants of whom ten were said to be at large and would be tried in absentia. As of mid-December, both the Ibn Khaldun Center and the Women Voters' Support Center remained closed, and Sa'adeddin Ibrahim's trial was scheduled to resume in mid-January.

Bahrain is among the countries in the region that do not allow monitoring and reporting on human rights issues. There were no indications that the Human Rights Committee of the government-appointed Shura Council was active in promoting or defending human rights or challenging long-standing government abuses. On October 28, the government denied the August 8 written request of eighteen Bahraini citizens for permission to set up an independent human rights committee.